

Appl. No. 09/575,161
Amendment dated October 10, 2003
Reply to Office action of June 10, 2003

22

REMARKS/ARGUMENTS

1. The Examiner has rejected claims 1 to 128 as being unpatentable under 35 USC 103(a) over Ward et al (Ward) (US 5,491,495) in view of Lawton et al (Lawton) (US 5,832,100).

2. In making this obviousness objection on page 3 of the Office Action the Examiner states "*However, Ward does not teach computer software with coded data.*" It is clear from this statement that the Examiner understands the claims to refer to coded data in the computer software. However, this is not what is claimed. Claim 1 (as amended herein) refers to "*an interface surface containing information relating to at least one interactive element and to the computer software and having disposed therein or thereon coded data indicative of an identity of the interface surface and of a plurality of reference points of the surface.*" It is clear that the coded data is disposed in or on the interface surface and it is not part of the computer software.

The Applicant submits that neither citation discloses an interface surface "*having coded data disposed therein or thereon*" as claimed. The Examiner is requested to reconsider his obviousness objection in light of this explanation and amendment. Similar amendments have been made to the other independent claims for consistency.

3. In making his obviousness objection the Examiner also states "*However, Ward does not teach ... identification of the user.*" The Applicant notes that claim 1 actually states: "*a sensing device which: contains identifying data indicative of an identity of the user.*" It is important to note that the "*sensing device*" contains the identifying data which is indicative of an identity of the user. The Examiner is correct in stating that Ward does not disclose this feature. However, the Applicant respectfully disagrees with the Examiner's suggestion that Lawton discloses this feature.

Lawton does not disclose any sensing device which fits the description of the claimed sensing device, nor does Lawton disclose a sensing device which "*contains identifying data indicative of an identity of the user.*"

In light of this argument, the Examiner is requested to reconsider and withdraw his objection.

Appl. No. 09/575,161
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23

4. The Applicant notes that Ward discloses a system which receives user input via a digitising tablet and stylus. The Ward system differs significantly from the claimed system which uses a sensing device to sense coded data disposed in or on a surface. In the Ward system, both the stylus and the tablet actively communicate with one another in order to identify the position of the stylus nib. In contrast, in the claimed system, the interface surface with the coded data on it is passive and the sensing device is active, sensing the coded data when it is used to mark or write upon the page.

In order to state these features of the claimed system more clearly, the Applicant has voluntarily amended claim 1 to read:

"a sensing device which: ... senses at least some of the coded data and generates indicating data ... using at least some of the sensed coded data".

Similar amendments have been made to the other independent claims for consistency. The Applicant submits that neither of the citations disclose a sensing device adapted to sense coded data as claimed. In light of these arguments and amendments, the Examiner is requested to reconsider and withdraw the obviousness objections to the claims.

6. The Applicant has made a number of minor amendments to some of the dependent claims in order to improve their clarity.

Appl. No. 09/575,161
Amendment dated October 10, 2003
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24

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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